



STATE OF WASHINGTON  
DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT

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## Office of Manufactured Housing

ESHB 1640: Manufactured/Mobile Home Landlord-Tenant Disputes

### DATA SUPPLEMENT

May 13 through December 31, 2005

Report to the Legislature  
January 2006

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## Table of Contents

|                                     |           |
|-------------------------------------|-----------|
| <b>I. Executive Summary.....</b>    | <b>1</b>  |
| <b>II. Data.....</b>                | <b>3</b>  |
| A. Park List and Registration ..... | 3         |
| B. Notification Campaign.....       | 7         |
| C. Dispute Investigations.....      | 8         |
| <b>Appendix .....</b>               | <b>14</b> |
| A. Park Lists                       |           |
| a. Registered Parks                 |           |
| b. No Response Parks                |           |
| B. Actions Taken on Each Complaint  |           |

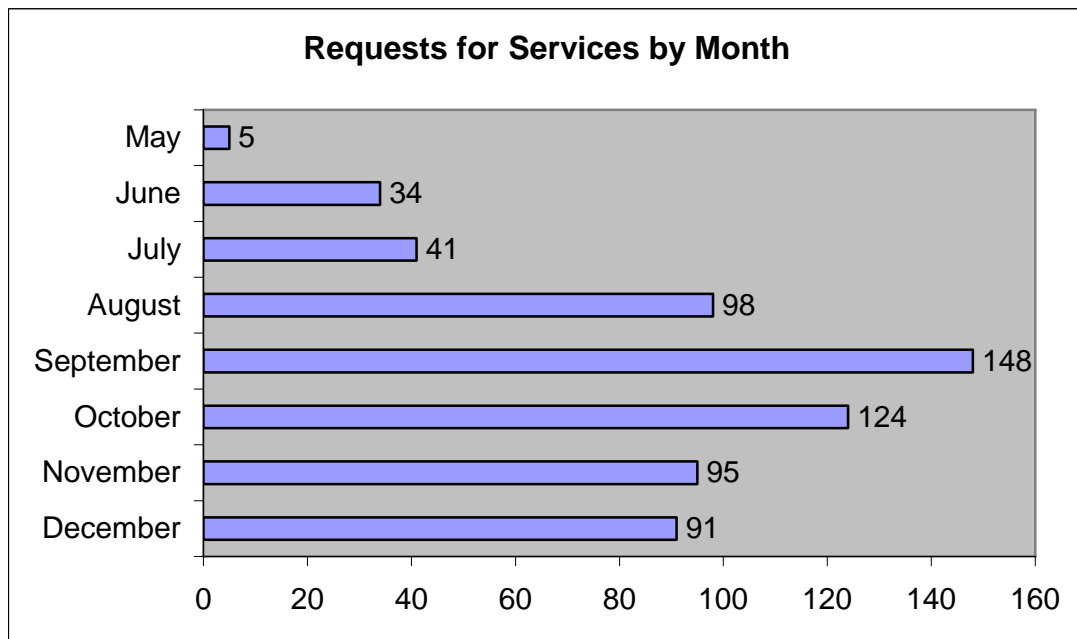
## I. EXECUTIVE SUMMARY

ESHB 1640 directed the Department of Community, Trade and Economic Development (CTED) to collect and submit data on complaints and outcomes of conflict resolution efforts from May 13, 2005 through December 31, 2005. The department submitted a report in December of data collected through November 30. This supplement contains data collected during the entire reporting period and fulfills the reporting requirement.

This supplement includes the following data for May 13 – December 31, 2005:

- statistics about manufactured housing communities (also known as parks)
- number of parks that have registered with CTED
- number of residents and owners notified
- number of requests for service received
- outcome of investigations

Prior to ESHB 1640, the office received an average of 58 requests for service per month. In December, the Office of Manufactured Housing (OMH) received 91 requests for service with a landlord-tenant complaint. The department sent direct notification to over 25,000 residents and also utilized websites, newspapers and newsletters, and radio announcements to ensure that notice was given to each park owner and park resident.

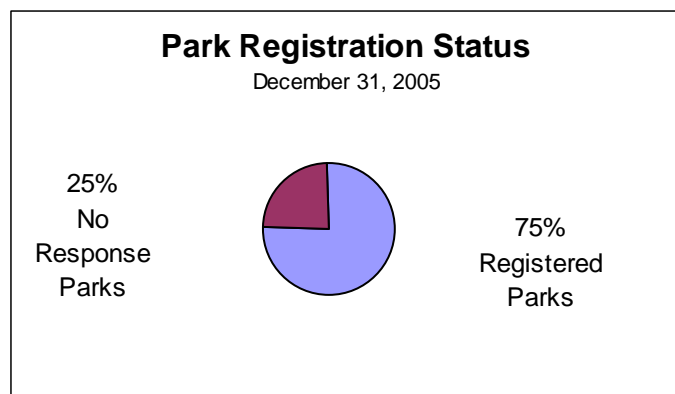


During the month of December, 191 parks registered, resulting in a total of 1,366 registered parks (75 percent). Park registration fees generated \$309,765 in revenue (\$5 per space multiplied by 61,953 spaces). Registered parks range in size from two to 408 spaces with an average of 45 spaces per park.

## II. DATA

### A. PARK LIST AND REGISTRATION

The Department was directed to compile the most accurate list possible of all manufactured housing communities in the state, the names and addresses of the owners of those communities, and the number of spaces subject to chapter 59.20 RCW located in each manufactured housing community. As of December 31, a total of 1,366 parks (75 percent) had registered. Park registration fees generated \$309,765 in revenue (\$5 per space times 61,953 spaces). Registered parks range in size from two to 408 spaces with an average of 45 spaces per park.



#### **Park List Data as of December 31, 2005**

|   |       |
|---|-------|
| Number of parks on initial park list (2,400 with complete addresses)  | 2,855 |
| Number of parks on current list (presumed to meet definition of 59.20 RCW)  | 1,829 |
| Number of initial notifications returned (445 returned, new addresses obtained and second mailing attempt for 89) | 356   |
| Number of parks removed from park list (duplicate listing, park was closed, not a park as defined by 59.20 RCW)   | 670   |

#### **Registration Data as of December 31, 2005**

|  |           |
|--|-----------|
| Number of parks on current list (presumed to meet definition of 59.20 RCW) | 1,829     |
| Number of parks registered   | 1,366     |
| Percentage of parks registered (1,175 of 2,113)                            | 75%       |
| Number of spaces registered  | 61,953    |
| Average spaces per registered park   | 45        |
| Amount received in registration fees (\$5 per space)                       | \$309,765 |

### Number of Parks by County

As of December 31, 2005

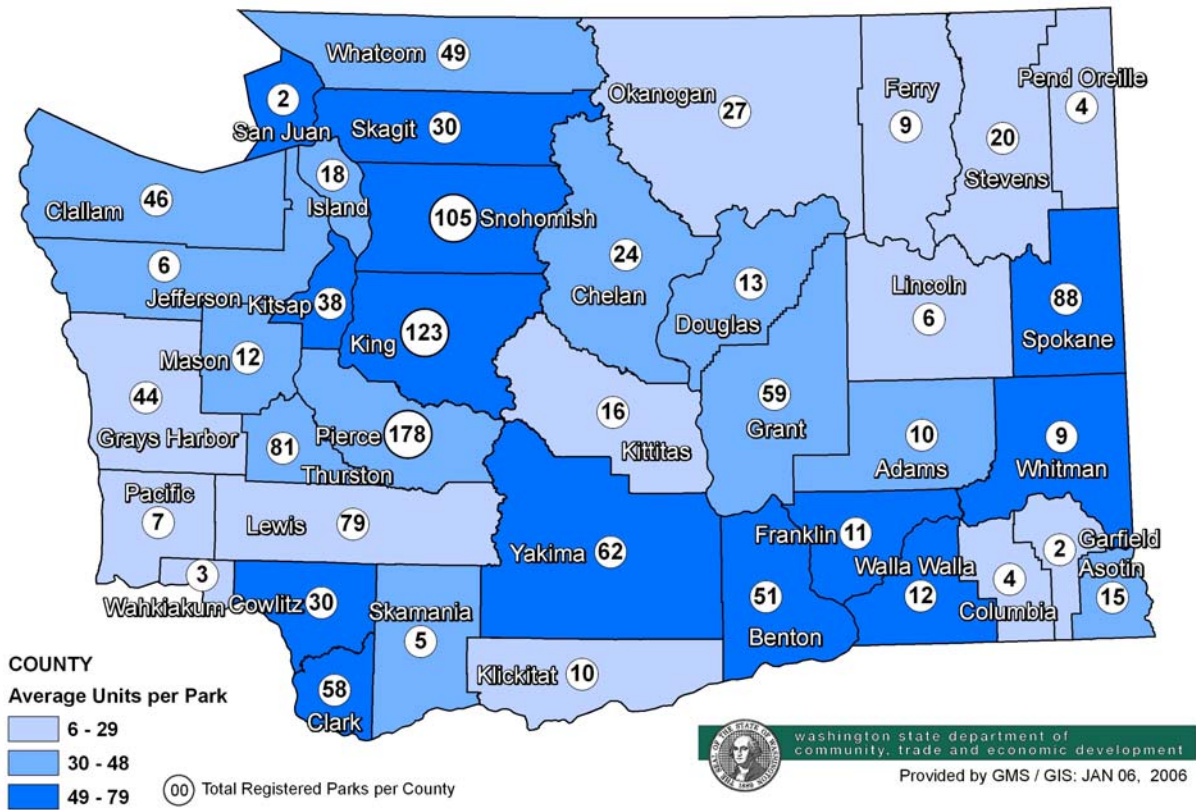
| County        | Parks Registered | Number of Spaces | Parks No Response | Total Parks  |
|---------------|------------------|------------------|-------------------|--------------|
| ADAMS         | 10               | 476              | 1                 | 11           |
| ASOTIN        | 15               | 465              | 3                 | 18           |
| BENTON        | 51               | 3098             | 6                 | 57           |
| CHELAN        | 24               | 801              | 8                 | 32           |
| CLALLAM       | 46               | 1429             | 7                 | 53           |
| CLARK         | 58               | 3788             | 16                | 74           |
| COLUMBIA      | 4                | 85               | 2                 | 6            |
| COWLITZ       | 30               | 1562             | 11                | 41           |
| DOUGLAS       | 13               | 543              | 8                 | 21           |
| FERRY         | 9                | 132              | 1                 | 10           |
| FRANKLIN      | 11               | 721              | 5                 | 16           |
| GARFIELD      | 2                | 12               |                   | 2            |
| GRANT         | 59               | 1912             | 15                | 74           |
| GRAYS HARBOR  | 44               | 1281             | 12                | 56           |
| ISLAND        | 18               | 727              | 8                 | 26           |
| JEFFERSON     | 6                | 214              | 5                 | 11           |
| KING          | 123              | 9747             | 44                | 167          |
| KITSAP        | 38               | 2044             | 9                 | 47           |
| KITTITAS      | 16               | 385              | 7                 | 23           |
| KLICKITAT     | 10               | 151              | 3                 | 13           |
| LEWIS         | 79               | 1196             | 31                | 110          |
| LINCOLN       | 6                | 71               | 2                 | 8            |
| MASON         | 12               | 361              | 6                 | 18           |
| OKANOGAN      | 27               | 486              | 15                | 42           |
| PACIFIC       | 7                | 77               | 4                 | 11           |
| PEND OREILLE  | 4                | 47               | 3                 | 7            |
| PIERCE        | 178              | 7560             | 53                | 231          |
| SAN JUAN      | 2                | 144              |                   | 2            |
| SKAGIT        | 30               | 1483             | 11                | 41           |
| SKAMANIA      | 5                | 161              | 4                 | 9            |
| SNOHOMISH     | 105              | 5858             | 28                | 133          |
| SPOKANE       | 88               | 4298             | 39                | 127          |
| STEVENS       | 20               | 428              | 10                | 30           |
| THURSTON      | 81               | 3449             | 31                | 112          |
| WAHAKIUM      | 3                | 87               |                   | 3            |
| WALLA WALLA   | 12               | 922              |                   | 12           |
| WHATCOM       | 49               | 1709             | 26                | 75           |
| WHITMAN       | 9                | 501              | 4                 | 13           |
| YAKIMA        | 62               | 3542             | 25                | 87           |
| <b>TOTALS</b> | <b>1,366</b>     | <b>61,953</b>    | <b>463</b>        | <b>1,829</b> |

**Registered Parks by County**  
As of December 31, 2005

| County        | Parks<br>Registered | Number<br>of Spaces | Average Number<br>of Spaces per Park |
|---------------|---------------------|---------------------|--------------------------------------|
| ADAMS         | 10                  | 476                 | 48                                   |
| ASOTIN        | 15                  | 465                 | 31                                   |
| BENTON        | 51                  | 3098                | 61                                   |
| CHELAN        | 24                  | 801                 | 33                                   |
| CLALLAM       | 46                  | 1429                | 31                                   |
| CLARK         | 58                  | 3788                | 65                                   |
| COLUMBIA      | 4                   | 85                  | 21                                   |
| COWLITZ       | 30                  | 1562                | 52                                   |
| DOUGLAS       | 13                  | 543                 | 42                                   |
| FERRY         | 9                   | 132                 | 15                                   |
| FRANKLIN      | 11                  | 721                 | 66                                   |
| GARFIELD      | 2                   | 12                  | 6                                    |
| GRANT         | 59                  | 1912                | 32                                   |
| GRAYS HARBOR  | 44                  | 1281                | 29                                   |
| ISLAND        | 18                  | 727                 | 40                                   |
| JEFFERSON     | 6                   | 214                 | 36                                   |
| KING          | 123                 | 9747                | 79                                   |
| KITSAP        | 38                  | 2044                | 54                                   |
| KITTITAS      | 16                  | 385                 | 24                                   |
| Klickitat     | 10                  | 151                 | 15                                   |
| LEWIS         | 79                  | 1196                | 15                                   |
| LINCOLN       | 6                   | 71                  | 12                                   |
| MASON         | 12                  | 361                 | 30                                   |
| OKANOGAN      | 27                  | 486                 | 18                                   |
| PACIFIC       | 7                   | 77                  | 11                                   |
| PEND OREILLE  | 4                   | 47                  | 12                                   |
| PIERCE        | 178                 | 7560                | 42                                   |
| SAN JUAN      | 2                   | 144                 | 72                                   |
| SKAGIT        | 30                  | 1483                | 49                                   |
| SKAMANIA      | 5                   | 161                 | 32                                   |
| SNOHOMISH     | 105                 | 5858                | 56                                   |
| SPOKANE       | 88                  | 4298                | 49                                   |
| STEVENS       | 20                  | 428                 | 21                                   |
| THURSTON      | 81                  | 3449                | 43                                   |
| WAHKIAKUM     | 3                   | 87                  | 29                                   |
| WALLA WALLA   | 12                  | 922                 | 77                                   |
| WHATCOM       | 49                  | 1709                | 35                                   |
| WHITMAN       | 9                   | 501                 | 56                                   |
| YAKIMA        | 62                  | 3542                | 57                                   |
| <b>TOTALS</b> | <b>1,366</b>        | <b>61,953</b>       |                                      |

# Office of Manufactured Housing

Size of Registered Mobile Home Parks by County: December 30, 2005



## **B. NOTIFICATION CAMPAIGN**

To ensure that notice was given to each manufactured/mobile home landlord or park owner and each mobile homeowner or tenant, OMH focused notification efforts in five areas:

- Direct mailings
- Websites and electronic mail
- Personal contact and phone calls
- Newspapers and newsletters
- Radio announcements

**Direct mailings:** As of December 31, over 25,000 resident addresses have been provided and OMH has sent notification to each resident address. Mobile Home Owners of America (MHOA) members provided the Department with its mailing list and the Department mailed notification to all 1,859 members. MHOA members also collected addresses and the Department mailed direct notification to each address provided. In addition, stakeholders were provided over 5,000 notices to distribute to residents.

**Personal contact and phone calls:** Since May 13, the office has received a total of 636 requests for landlord-tenant services. Calls are received through a toll-free automated services request line. In response to an increase in calls, the Department improved the toll-free line by shortening the intake message and also by providing the menu in both English and Spanish. Each complainant was mailed direct notification of the program and the new law. The Department also responded to over 650 (via telephone, email, and in person) contacts from park owners and residents with questions about the registration process.

**Newspapers and newsletters:** A press release was sent to a total of 84 daily and weekly newspapers throughout Washington on September 22, 2005. The press release was posted on the Access Washington home page on September 23, 2005. Additionally, at the recommendation of a stakeholder who noted that many veterans live in manufactured housing communities, the press release was posted on the Department of Veterans Affairs home page. The press release was also sent to stakeholders and interest groups.

**Websites and electronic mail:** OMH posted all ESHB 1640 information on its website, including a link to the bill, the resident notice, and the registration form. The website also includes a link to the forms in Spanish. During the month of December, the website received 180 contacts.

**Radio announcements:** On November 22, a public service announcement was sent to 12 radio stations. The Department chose specific stations, targeting counties with the most mobile home parks and the fewest Mobile Home Owners of America (MHOA) members.

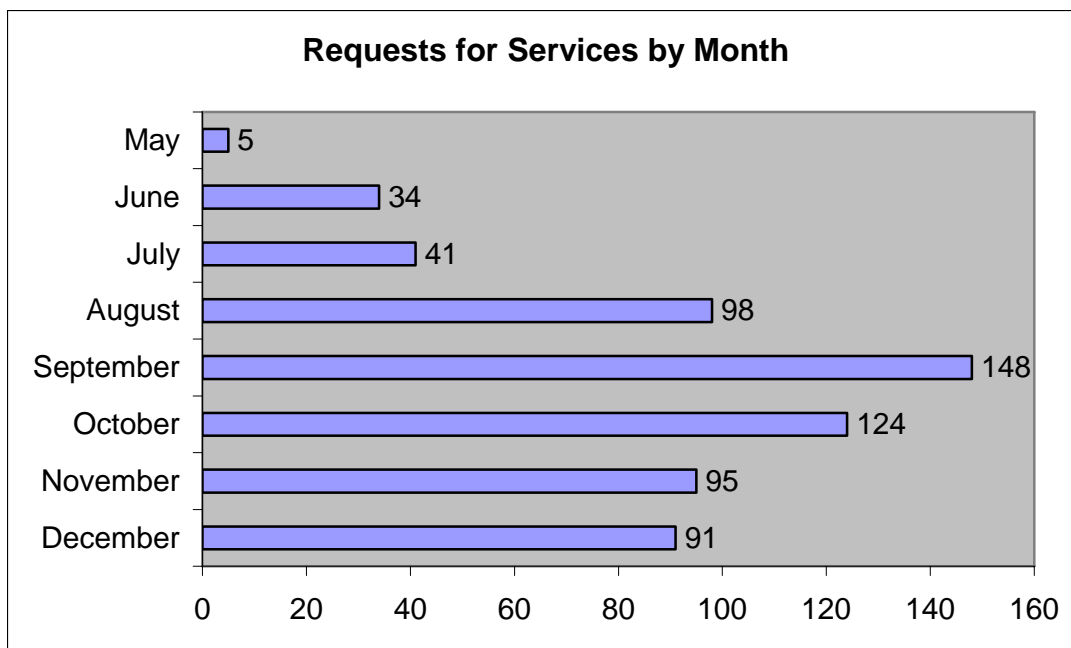
## C. DISPUTE INVESTIGATIONS

CTED was required to investigate alleged unfair practices or violations of the Manufactured/Mobile Home Landlord-Tenant Act, 59.20 RCW. The Department was also required to negotiate agreements and document outcomes.

This section includes the following complaint data collected May 13 – December 31, 2005:

1. Requests for Services by Month
2. Number of Complaints
3. Nature and Extent of Complaints
4. Actions Taken on Each Complaint
5. Outcomes of Closed Cases
6. Closed Cases: No Agreement Reached – Reasons

### 1. **Requests for Services by Month** May 13, 2005 – December 31, 2005



## 2. Number of Complaints Received May 13, 2005 – December 31, 2005

|   |     |
|---|-----|
| <b>Complaints Received (<i>Number of Complainants</i>)</b><br>Complainants often report more than one issue. Of the 266 complaints under investigation or completed, a total of 739 issues were reported and investigated. Complaints are defined by ESHB 1640 as the complainant provided documentation that the other party had been notified and that timeframes to remedy, 59.20 RCW have been met. (218 completed investigations plus 48 current investigations underway = 266 total complaints) | 266 |
| <b>Issues Reported</b><br>Complainants often report more than one issue. Of the 266 complaints received, a total of 739 issues were reported and investigated. The number of issues per complaint ranged from one to ten.   | 739 |
| <b>Requests for Services</b><br>Individuals seeking assistance with a landlord-tenant complaint.  | 636 |
| <b>Complaint investigation on hold pending notification (<i>Open Cases</i>)</b><br>OMH has notified complainant and sent complaint form. OMH is waiting for documentation that the other party has been notified and that timeframes to remedy, under RCW 59.20, have been met.   | 370 |
| <b>Complaint investigation underway (<i>Open Complaint Investigations</i>)</b><br>OMH has received required documentation; timeframes to remedy, 59.20 RCW, have been met; case managers are investigating complaint.   | 48  |
| <b>Complaint investigation completed (<i>Closed Cases</i>)</b><br>See chart of Outcomes of Closed Cases.  | 218 |
| <b>Communities</b><br>The 266 complaints (739 issues) were associated with 132 parks in 29 counties.  | 132 |

**3. Nature and Extent of the Complaints Received** May 13, 2005 – December 31, 2005  
The 266 complaints received identified the following 739 issues:

| <b>ISSUE (alleged in complaints)</b>   | <b>OCCURENCES</b> | <b>PARKS*</b> |
|--|-------------------|---------------|
| <b>DIFFICULTIES WITH COMMUNITY MANAGER/OWNER</b>   | 135               | 26            |
| <b>PARK RULES</b><br>Applied unfairly; retaliatory or discriminatory in nature   | 123               | 19            |
| <b>LEASE CONTENT</b><br>Lack of required items or interpretation discrepancies   | 103               | 11            |
| <b>PARK MAINTENANCE</b><br>Failure of landlord to perform maintenance  | 77                | 24            |
| <b>PARK AMENITIES</b><br>Differing expectations for either use of carports, community room, pool, storage, etc. or payment for their maintenance | 60                | 2             |
| <b>SAFETY HEALTH/HAZARD</b><br>Dangerous trees, overflowing dumpster, standing or contaminated water   | 42                | 17            |
| <b>EVICITION</b><br>Fear of eviction or received eviction notice from landlord   | 36                | 14            |
| <b>HARASSMENT</b><br>Unfair treatment of landlord, tenant or tenant's family/guests/employees/caregivers   | 23                | 11            |
| <b>LOT/HOME MAINTENANCE</b><br>Lack of maintenance by tenant or landlord   | 18                | 12            |
| <b>UTILITIES</b><br>Charging utility fee in excess of actual usage; failure to provide utilities as provided in lease agreement                  | 17                | 6             |
| <b>WATER CONCERNS</b><br>Lack of adequate water pressure, water drainage resulting in standing water   | 12                | 5             |
| <b>RENT ISSUES</b><br>Lack of proper rent increase notice or increases not identified in RCW 59.20   | 13                | 6             |
| <b>PROPERTY/LOT</b><br>Lot boundaries not clearly defined  | 10                | 4             |
| <b>WATER ACCESS</b><br>No water hookups on tenant lot; allegations of landlord limiting water usage  | 7                 | 3             |
| <b>DIFFICULTIES WITH MOBILE HOME RESIDENT</b>  | 7                 | 3             |
| <b>LACK OF LEASE</b><br>Lot rental without a lease agreement   | 8                 | 2             |
| <b>RETALIATION</b><br>Retaliatory behavior towards tenant or tenant's family/employee/caregiver/guest (once landlord notified of complaint)      | 7                 | 4             |
| <b>SEWER PROBLEMS</b><br>Lack of maintenance of sewer/septic system  | 5                 | 3             |
| <b>RESIDENTIAL LANDLORD-TENANT ACT</b><br>Complainant rents their manufactured home – not covered by RCW 59.20                                   | 5                 | 3             |

| <b>ISSUE (alleged in complaints)</b>  | <b>OCCURENCES</b> | <b>PARKS*</b> |
|---|-------------------|---------------|
| <b>DEPOSITS</b>   |                   |               |
| Park occupancy deposit questions; failure to return deposit   | 5                 | 2             |
| <b>ENFORCEMENT/MHLTA</b>  |                   |               |
| Lack of enforcement by landlord of RCW 59.20 among park residents   | 5                 | 1             |
| <b>SELLING HOME PROBLEM</b>   |                   |               |
| Landlord hindering efforts to sell tenants home   | 4                 | 2             |
| <b>WATER QUALITY</b>  |                   |               |
| Water does not meet drinking water standards  | 4                 | 1             |
| <b>FINANCIAL TRANSACTION</b>  |                   |               |
| Difficulties selling home or unfulfilled financial agreements   | 3                 | 1             |
| <b>PARK ZONING/SITING</b>   |                   |               |
| Management misusing property zoned or sited for other use or re: fire (parking/building) regulations                                  | 2                 | 2             |
| <b>PETS</b>   |                   |               |
| Pets allowed in park against rules, or not allowed conditionally (e.g. support animals)   | 2                 | 1             |
| <b>DISCRIMINATION</b>   |                   |               |
| Disparate treatment based on race, religion, marital status, creed, etc.  | 3                 | 1             |
| <b>SHED MAINTENANCE</b>   |                   |               |
| Permanent structure requiring landlord to maintain; landlord's failure to maintain as an amenity or requiring maintenance by resident | 1                 | 1             |
| <b>PARK PURCHASE</b>  |                   |               |
| Failure to notify of park sale; confusion re: right of first refusal for resident purchase park                                       | 1                 | 1             |
| <b>LEASE TRANSFER</b>   |                   |               |
| Withholding transfer of lease   | 1                 | 1             |
| <b>TOTAL</b>  | <b>739</b>        |               |

\* Park count may be higher due to database start up problems.

#### 4. Actions Taken on Each Complaint

Below is a summary of actions taken on each complaint. A detailed report of actions taken on each complaint is included in the Appendix.

|   |     |
|---|-----|
| <b>Complaint investigation on hold pending notification (<i>Open Cases</i>)</b><br>OMH has notified complainant and sent complaint form. OMH is waiting for documentation that the other party has been notified and that timeframes to remedy, under RCW 59.20, have been met. | 370 |
| <b>Complaint investigation underway (<i>Open Complaint Investigations</i>)</b><br>OMH has received required documentation; timeframes to remedy under 59.20 RCW have been met; case managers are investigating complaint.   | 48  |
| <b>Complaint investigation completed (<i>Closed Cases</i>)</b><br>See chart of Outcomes of Closed Cases.  | 218 |

#### 5. Outcomes of Closed Cases May 13, 2005 – December 31, 2005

|  |            |
|--|------------|
| Agreement reached                      | 19         |
| Partial agreement reached <sup>1</sup> | 15         |
| No agreement reached                   | 100        |
| Complainant withdrew complaint         | 5          |
| Caller could not be reached            | 12         |
| Determined to be non-1640              | 17         |
| Information only                       | 50         |
| <b>Total closed cases</b>              | <b>218</b> |

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<sup>1</sup> "Partial agreement reached," means some but not all of the issues raised in a dispute were resolved.

**6. Closed Cases: No Agreement Reached – Reasons** May 13, 2005 – December 31, 2005

**No response from Community Owner/Manager**

Tenant provided notice and received no response/remedy. OMH then attempted to contact by phone or in writing and received no response, or contacted with a proposed remedy and received no response. 83

**Resident pursuing legal action** 6

Community owner pursuing legal action 3

**No response from resident**

Resident submitted complaint material but failed to respond to OMH attempts to contact. 4

**Resident responsible**

Resident failed to provide receipt needed for settlement 2

**Reason unknown/not reported to OMH** 2

**Total cases closed as “no agreement reached”** 100